IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.5311 OF 2007
IN
FIRST APPEAL NO.1783 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	¦ Mr.Tejpal Ingale for the ¦ Applicant. ¦ Mr.Bhargavan i/b R.Bhargavan & ¦ Associates for the Respondent. ¦ ¦ ¦ **CORAM: D.K.DESHMUKH &** ¦ V.M.KANADE**, JJ.** ¦ **DATED:** 6TH DECEMBER, 2007

P.C.:

1. This Civil Application is taken out by the Respondent for withdrawal of the amount of Rs.10 lakh out of the amount deposited by the Appellant.

2. We suggested to the learned Counsel for the Respondent that if the Respondent is willing to furnish bank guarantee, the amount can be

permitted to be withdrawn.

3. He states that the Respondent is not in a position to give bank guarantee.

4. In our opinion, it will not be appropriate to permit withdrawal of the amount without bank guarantee. Civil Application is, therefore, disposed of. However, in case the Respondent becomes capable of furnishing the bank guarantee, the Respondent shall be at liberty to take out fresh Civil Application. Civil Application disposed of.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)